

REMARKS

The Office Action of September 7, 2005 was received and carefully reviewed. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-42 were pending prior to the instant amendment. By this amendment, claims 1 and 2 have been amended, claims 3, 6, 9, 17, 20, 23, 26, 29, 32, 35 and 41 have been withdrawn, and claims 33-34 have been cancelled. Accordingly, claims 1-2, 4-5, 7-8, 10-11, 13-16, 18-19, 21-22, 24-25, 27-28, 30-31, 36-40 and 42 are pending for consideration.

Claims 1-2, 10-11, 21-22, 24-25, 26-27, 36, 39-40 and 42 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sasaki et al. (U.S. Publication No. 2001/0004281 – hereafter Sasaki). Applicants note that the Examiner appears to have inadvertently omitted claims 2, 10-11, 21-22, 24-25, 26-27, 36, 39-40 and 42 as anticipated by Sasaki in the summary of rejected claims on page 2 of the detailed Office Action. In response to the rejection, Applicants will treat claims 2, 10-11, 21-22, 24-25, 26-27, 36, 39-40 and 42 as rejected over Sasaki. Further, claims 4-5 and 33-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki in view of Tamai et al. (U.S. Patent No. 6,851,460 – hereafter Tamai). Still further, claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki in view of Nishiguchi et al. (U.S. Patent No. 6,226,067 – hereafter Nishiguchi). Still further, claims 13 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki in view of Inoue et al. (U.S. Publication No. 2003/0090609 – hereafter Inoue ‘609). Still further, claims 15, 16, 18 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki in view of Inoue and further in view of Inou et al. (U.S. Patent No. 6,639,647 – hereafter Inoue ‘647). Still further, claims 30 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki in view of Yokono et al. (U.S. Patent No. 4,773,737 – hereafter Yokono). Finally, claim 38 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sasaki.

Initially, Applicants note that Office Action does not address claim 37. Hence, the Examiner is requested to clarify the status of claim 37 so that Applicants may respond accordingly.

With respect to the §102(b) rejection of claims 1 and 2 over Sasaki, Applicants have amended claims 1 and 2, as shown above, to further specify discharging a plurality of droplets containing a liquid crystal by ink-jet. Consequently, dependent claims 33-34, which depended from claims 1 and 2, respectively, have been cancelled, and, by the amendment of claim 1 above, claim 1 is no longer generic to non-elected claim 3 and its respective dependent claims.

With respect to the §102(b) of independent claim 36, the Examiner alleged that Sasaki teaches a filler material formed between the first seal material and the second seal material. However, although the Examiner cited a first seal material 13 and a second seal material 12 in Sasaki, the Examiner did not specifically cite an element of Sasaki that is considered as a filler material. Applicants note that element 21 is between members 12 and 13 is a vacuum space, as disclosed in paragraph [0917] and Fig. 8B of Sasaki, for example, and that there is no filler material disclosed in Sasaki as alleged by the Examiner.

Consequently, since each and every feature of the present claims is not taught (and is not inherent) in the teachings of Sasaki, as is required by MPEP Chapter 2131 in order to establish anticipation, the rejection of claims 1-2, 10-11, 21-22, 24-25, 26-27, 36, 39-40 and 42, under 35 U.S.C. §102(b), as anticipated by Sasaki is improper.

With respect to the obviousness rejection of claims 4-5 and 33-34 over Sasaki, the Examiner asserted that Sasaki does not teach the plurality of droplets discharged over a pixel electrode provided from a plurality of nozzles by ink jet and that Tamai discloses this feature on page 5, 3rd paragraph thereof. In response, Applicants respectfully remind the Examiner of Applicants' claim of foreign priority of Japanese Application No. 2003-008869, which was filed January 16, 2003 and predates the filing date of February 14, 2003 of Tamai. Applicants will submit a certified English translation to perfect the priority claim of the Japanese Application No. 2003-008869 as soon as the translation is completed. Accordingly, Tamai is not a prior art reference and the combination of Sasaki and Tamai is improper.

The amendments and arguments set forth above with respect to independent claims 1, 2 and 36 are also applicable to the obviousness rejections of their respective dependent claims.

Turning now to the IDS filed June 24, 2004, the Examiner did not consider the reference to Watanabe (JP 57-124827, published 08-04-1982) that was provided to the Examiner. Hence, Applicants submit herewith a courtesy copy of the reference and respectfully request the Examiner to consider the reference.

In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-2, 4-5, 7-8, 11-11, 13-16, 18-19, 21-22, 24-25, 27-28, 30-31, , 36-40 and 42 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,



Luan C. Do
Registration No. 38,434

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000
Date: January 3, 2006